

REMARKS

Claims 16,18, 20-30, 32, and 34-43 are pending in the present application as currently amended. Claims 17 and 31 have been newly canceled and the subject matter thereof has been incorporated into independent claims 16 and 30, respectively. In addition, such claims 16 and 30 have been amended to recite that the on-hook signaling protocol is a two-way on hook signaling protocol such that the computing device can send data to the communications system over the communications line while on-hook. Finally, new claims 44-47 have been added.

Applicants respectfully submit that no new matter has been added to the application by the Amendment. In particular, use of such two-way on-hook protocol is set forth in the specification of the present application at page 13, lines 1-12. As one skilled in the art may appreciate, ADSI and other technologies are currently considering using the 0 - 4 KHz bandwidth of the public telephone system to carry data while the phone line state is on-hook to improve data performance, where such use would be in addition to already-used higher-frequency bandwidth.

The Examiner has rejected claims 16, 20-22, 24-30, 34-36, and 38-43 under 35 USC § 102 as being anticipated by Bossemeyer, Jr. (U.S. Patent No. 6,490,444). Applicants respectfully traverse the Section 102 rejection insofar as it may be applied to the claims as amended.

Independent claim 16 recites a system for notifying a computing device of an incoming message. In the system, a message server is coupled to a data communications network for receiving the incoming message, a public communications system is coupled to the message server, where the message server securely communicates to the communications system that the incoming message awaits retrieval by the computing device, and a communications line is coupled to the communications system and to the computing device, where the communications system signals the computing device over the communications line that the incoming message awaits retrieval by such computing device. Significantly, the incoming message includes a destination address associated with the computing device (an email address, e.g.), the communications line is identified by an identifier (a telephone number, e.g.), and the system further comprises a database associating the destination address

with the identifier. Thus, the message server accesses the database and determines the identifier based on the destination address and communicates to the communications system that the incoming message awaits retrieval by the computing device at the communications line as identified by the identifier.

As amended, claim 16 also recites that the communications system signals the computing device over the communications line according to a two-way on-hook signaling protocol. Thus, the communications device sends data to the communications system according to the two-way on-hook signaling protocol while the communications line is on-hook.

Independent claim 30 recites substantially the same subject matter as claim 16, albeit in the form of a method.

The Bossemeyer reference discloses an email notification system whereby a telecommunications network 60 periodically inquires of a data message platform 40 whether email waits to be delivered from the platform 40 by way of the network 60 to a subscriber terminal 80 coupled to the network 60. The network 60 checks with the platform 40 to determine whether email for a particular subscriber 80 is available for retrieval. However, and significantly, such Bossemeyer reference does not disclose that the network 60 signals the terminal 80 according to a two-way on-hook signaling protocol, as is required by claims 16 and 30, or that the terminal 80 sends data to the network 60 according to the two-way on-hook signaling protocol while the communications line therebetween is on-hook, as is also required by claims 16 and 30.

Put simply, the Bossemeyer reference utterly fails to disclose that the on-hook signaling protocol employed thereby is a two-way protocol, and does not even suggest or teach that such a two-way protocol be employed. As may be appreciated, by employing such a two-way protocol and not merely a one-way protocol, messages from the network 60 may be error-checked by the terminal 80 and such error-checking may be reported back to the network 60. As a result, such messages may be much longer and more detailed inasmuch as the error-checking allows the network 60 to have faith that the message will be received without error. Thus, the two-way protocol may be employed not only to send a notification message that an email message is waiting, but may also be employed to send the actual email message.

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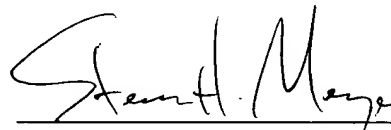
Accordingly, because the Bossemeyer reference fails to disclose use of a two-way on-hook signaling protocol as is required by claims 16 and 30, Applicants respectfully submit that the Bossemeyer reference does not anticipate claims 16 or 30 or any claims depending therefrom, including claims 20-22, 24-29, 34-36, and 38-43. Thus, Applicants respectfully request reconsideration and withdrawal of the Section 102 rejection.

The Examiner has rejected claims 18, 23, 32, and 37 under 35 USC § 103 as being obvious over the Bossemeyer reference in view of Duphorne (U.S. Patent No. 6,212, 265). Applicants respectfully traverse the Section 103 rejection insofar as it may be applied to the claims as amended.

Applicants respectfully submit that since independent claims 16 and 30 have been shown to be unanticipated and are non-obvious, then so too must all claims depending therefrom be unanticipated and non-obvious, including claims 18, 23, 32, and 37, at least by their dependencies. Thus, Applicants respectfully request reconsideration and withdrawal of the Section 103 rejection.

In view of the foregoing, Applicants respectfully submit that the claims of the present application are in condition for allowance, and such action is respectfully requested.

Respectfully submitted,



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